

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GAYLE A. JAYNES,

Plaintiff,

Civil No. 05-3061-ST

v.

O R D E R

JOANNE B. BARNHART,
Commissioner of Social Security,

Defendant.

HAGGERTY, Chief Judge:

Magistrate Judge Stewart issued a Findings and Recommendation [28] in this action that recommended that the Commissioner's "Motion to Remand to Agency" [20] should be granted in part and denied in part. The Findings and Recommendation concluded that the Commissioner's

final decision should be reversed and remanded for an award of benefits and that final judgment should be entered pursuant to sentence four of 42 U.S.C. § 405(g).

No objections were filed to this Findings and Recommendation, and the case was referred to me. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b). When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation of the Magistrate. *Campbell v. United States District Court*, 501 F.2d 196 (9th Cir. 1974).

No clear error appears on the face of the record. This court adopts the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Magistrate Judge's Findings and Recommendation [28] is adopted. The Commissioner's "Motion to Remand to Agency" [20] is granted in part and denied in part as follows: the Commissioner's final decision is reversed and remanded for an award of benefits pursuant to sentence four of 42 U.S.C. § 405(g).

IT IS SO ORDERED.

Dated this 18 day of September, 2006.

/s/Ancer L.Haggerty

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Ancer L. Haggerty
United States District Judge